

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 5-7, 9-11 and 13-15 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Withdrawal of Allowability

Applicants note that the Examiner indicated in his action of August 24, 2005 that claims 6, 10 and 14 would be allowable. In response to this, Applicants rewrote these claims in independent form. Applicants cannot understand why the Examiner has now instituted a new rejection after indicating that these claims are allowable. Applicants request the Examiner to reconsider this rejection since he has already indicated that the remaining claims are allowable.

Rejection Under 35 U.S.C. § 102

Claims 9-11 and 13-15 stand rejected under 35 U.S.C. § 102 as being anticipated by Johnson (USP 4,248,346). This rejection is respectfully traversed.

The Examiner states that Johnson shows a container for a wafer including a box 10 which may be enclosed in a bag and nitrogen contained in the box and bag.

Applicants submit that independent claims 10 and 14, which have been amended, are not anticipated by this reference. Claim 10 now describes the inert gas as filling the bag and the shipping box to balance the pressure inside the box and the atmospheric pressure to prevent the box from deforming. Thus, the gas not only is to prevent contamination, but is also to physically support the box and bag from collapsing.

This differs from the Johnson reference, which shows a shipping container which may be enclosed in a heat shrinkable plastic bag. The bag and container are simultaneously purged with an inert gas such as nitrogen to prevent environmental contamination of the wafers. Johnson does

not even suggest the possibility of the gas balancing the pressure inside the container in order to prevent the container from deforming. As such, the gas is used only for purging. Accordingly, Applicants submit that Johnson does not teach all the features of claim 10.

Likewise, claim 14 describes the gas as filling the first space, the second space and the vacant space to balance the pressure to prevent the first space from deforming. Thus, Applicants submit that the reference clearly does not show this arrangement for the same reason recited above in regard to claim 10. For these reasons, Applicants submit that claims 10 and 14 are allowable.

Claims 9, 11, 13 and 15 depend from these allowable claims and as such are also considered to be allowable.

Rejection Under 35 U.S.C. § 103

Claims 5-7 stand rejected under 35 U.S.C. § 103 as being obvious over Johnson in view of Brooks (USP 6,003,674). This rejection is respectfully traversed.

Independent claim 6 describes the box, bag and inert gas which fills the bag and box to balance the pressure to prevent the box from deforming in a similar fashion to claims 10 and 14. Applicants submit that Johnson fails to disclose the prevention of deformation as discussed above. The Examiner relies on Brooks to show a box having a hole which allows the gas to be filled in the box and the surrounding bag. Applicants submit that Brooks shows a method and apparatus for packaging articles in a sealed rigid plastic enclosure which may be enclosed within another sealed enclosure having a self-sealing member. A hollow needle is connected to a source of purging gas and a vacuum source for selectively piercing one or more of the self-sealing members to communicate the gas and vacuum sources with a selected one of the enclosures to remove contaminants, moisture, oxygen, plastic particles, etc. The purging gas is introduced into the enclosure for a period of time and the enclosure is evacuated by removing any remaining purging gas or contaminants. It is noted that neither Johnson nor Brooks disclose the features of balancing the pressure inside the box in order to prevent the box from deforming. It is also noted

that Brooks discloses that the purging gas is introduced and the evacuated by removing any remaining purging gas or contaminants. Thus, even if Brooks and Johnson are combined, there would be no teaching of providing pressure to prevent deformation of the bag since Brooks indicates that the gas would be evacuated. For these reasons, Applicants submit that claim 6 is also allowable.

Claims 7 and 9 depend from claim 6 and as such are also considered to be allowable.

CONCLUSION

In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination. In view of this, reconsideration of the rejections and allowance of all the claims are respectfully requested.

If the Examiner has any questions concerning this application, the Examiner is requested to contact Robert F. Gnuse, Reg. No. 27,295 at the telephone number of (703) 205-8000.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

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Respectfully submitted,

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